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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,576	08/14/2001	Tim Wilkinson	TRAS-530	2195

7590 12/17/2004  
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EXAMINER

AMINI, JAVID A

ART UNIT PAPER NUMBER

2672

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/931,576

**Applicant(s)**

WILKINSON ET AL.

**Examiner**

Javid A Amini

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,9,10,13,15 and 17-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 04, 2004 has been entered.

- Examiner's suggestion: encourages the Applicant to schedule an interview, to make the following broad languages unambiguous, which are extracted from claim 1:
- a. Applicant claims "A computing device ..." not a portable device, see the title of the invention.
  - b. Applicant claims "... to establish a network connection. Is it a wireless or direct connection?
  - c. Applicant claims "... Having a plurality of attributes...". Does Applicant mean color, size, dimension, location and etc.?
  - d. Applicant claims "... Drawing surface computed as a set of rectangular clip segments ..." How many segments does Applicant mean?

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-5, 6, 9, 10, 13, 15 and 17-29 rejected under 35 U.S.C. 102(b) as being anticipated by Baldwin with Patent number 5,64,228.

1. Claim 1.

Baldwin in fig. 2B illustrates a computing device executing a graphics rendering software program providing instructions to one or more processors to render graphics on a display, the computing device configured to establish a network connection (see fig. 2b, host address and host interface) with at least one other computing device, the step of connecting to a network is inherent because Baldwin's invention covers a graphics and network interfaces, and computers for example: a PC and a Laptop in different sizes contain graphic and network interfaces. Also they can be equipped with a modem. See Baldwin in col. 10 lines 39-45. Baldwin in col. 6, lines 10-29 discloses the following steps (claim languages): "a graphics driver for rendering a plurality of drawing surfaces, including a first drawing surface and a second drawing surface, (Baldwin discloses an overlapping, meaning there is two drawing surfaces) on the display, and a memory storing graphic objects having a plurality of attributes, each graphic object representing a drawing surface of the plurality of drawing surface, Baldwin in col. 2 lines 1-7 discloses that an alpha or transparency (attributes) value for each pixel stored in the memory. Baldwin in col. 6, lines 6-29 discloses a GUI window which is not completely displayed on-screen (because it extends past screen boundaries or is overlapped by other windows, etc.), is divided into at least two portions, e.g. rectangles, for scissoring operations. If a primitive appears at least partially in some rectangle, rendering data is calculated, then applied against each rectangle in which it appears for a scissoring operation, and the portion of the primitive in that rectangle, which survives the scissor, is then rendered. The rendering data is stored between each scissoring

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function, and is not recalculated. Any portion of the primitive, which does not appear in a rectangle, is not rendered, thereby eliminating any rendering overhead for any primitive, which would be completely hidden anyway. By computing the pre-rendering values only once for each primitive, the object of eliminating needless rendering calculations is achieved at the expense of a relatively simple scissor comparison of the stored pre-rendering data with the boundaries of each of the rectangles. See pervious paragraph that covers the graphics driver is configured to render the first drawing surface at least partially overlapping the second drawing surface on the display. See also Baldwin in col. 6, lines 6-29 for the following steps, when the first drawing surface is rendered as partially overlapping the second drawing surface, a visible portion of the second drawing surface is computed as a set of rectangular clip segments, Baldwin in col. 26, lines 46-50 discloses the rectangular tiles which make up the window's visible area and render the primitive once per tile (This may be limited to only those tiles which the primitive intersects). The following step is inherent because Baldwin in col. 41, lines 54-61 teaches the following claim language, "wherein the rectangular clip segment are attributes of a graphic object representing the second drawing surface". The following step is inherent, "wherein the graphics driver is further configured to increment a visibility tag corresponding to the second drawing surface when a z-order ((definition of "z-order" from Applicant's specification in paragraph 0017 on page 1: z-order capabilities (i.e. windows can overlap, with foreground windows partially or fully obscuring background windows)) of the second drawing surface is changed, and to compute a new set of rectangular clip segments if the visibility tag corresponding to the second drawing surface is not the same as a visibility tag corresponding to the first drawing surface." See Baldwin in col. 4 lines 16-25 discloses the OpenGL standard

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provides a complete library of low-level graphics manipulation commands, which can be used to implement three-dimensional graphics operations.

2. Claims 4-5.

Baldwin discloses the transparency of overlapping two objects. For more detail, see rejection of claim 1. The claim language in claim 5, Applicant uses a broad language the ..... clip segments is iteratively output to the display ... . The step is inherent because Baldwin is displaying the overlapping area.

3. Claim 15.

Depending to claim 1, Applicant uses broad terms in claim 15, the steps are inherent.

4. Claim 29.

Depending to claim 1, Baldwin in the abstract discloses this limitation.

5. Claims 6 and 9.

See rejection of claim 1. Applicant in claim 9 claims the first and second drawing surface comprise rectangular borders. This step is inherent because most of drawing objects comprise rectangular borders.

6. Claim 17.

Depending to claim 6, Applicant uses broad terms in claim 17. Therefore, the steps are inherent.

7. Claims 18-19.

See rejection of claims 1 and 15.

8. Claims 10 and 13.

See comment and rejection of claims 27-28.

9. Claims 20-28.

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See the rejection of claims 1, 4-5 and 15. Applicant uses again very broad terms in claims 24-28. Applicant claims in claim 27 the clip segments correspond to rectangular portion of the visible portion of the partially obscured drawing surface, simply means overlapping. Also in claim 28 claims .... Comprise rectangular borders. Examiner question: is there any other type of border for example: circular or triangular or etc. of overlapping two graphical objects in windows environment, knowing that all drawing surfaces are rectangular shaped?


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini  
Examiner  
Art Unit 2672

  
JEFFERY BRIAR  
PRIMARY EXAMINER

Javid Amini